

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:
The County of Summit, Ohio, et al. v. Purdue Pharma L.P., et al.)
Case No. 18-op-45090) MDL No. 2804
and) Hon. Judge Dan A. Polster
The County of Cuyahoga v. Purdue Pharma L.P., et al.)
Case No. 1:18-op-45004)

**NOTICE OF SERVICE OF MANUFACTURER DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT ON PLAINTIFFS' PUBLIC NUISANCE CLAIMS**

Pursuant to the Directions Regarding Filing of Briefs Under Seal, ECF No. 1719,

Manufacturer Defendants¹ hereby provide notice that on June 28, 2019, they served unredacted copies of the following documents on all Parties, the Court, and the Special Masters:

¹ Purdue Pharma, L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc. f/k/a Par Pharmaceutical Holdings, Inc.; Janssen Pharmaceuticals, Inc. f/k/a Ortho-McNeil-Janssen Pharmaceuticals, Inc. f/k/a Janssen Pharmaceutica, Inc.; Johnson & Johnson; Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Allergan plc f/k/a Actavis plc; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Allergan Sales, LLC; Allergan USA, Inc.; Watson Laboratories, Inc.; Warner Chilcott Company, LLC; Actavis Pharma, Inc., f/k/a Watson Pharma, Inc.; Actavis South Atlantic LLC; Actavis Elizabeth LLC; Actavis Mid Atlantic LLC; Actavis Totowa LLC; Actavis LLC; Actavis Kadian LLC; Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City; Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida; Mallinckrodt plc; Mallinckrodt LLC; and SpecRx LLC.

Teva Pharmaceutical Industries Ltd., Allergan plc f/k/a Actavis plc, and Mallinckrodt plc are respectively an Israeli corporation, Irish holding company, and Irish company that are not subject to and contest personal jurisdiction for the reasons explained in their pending motions to dismiss for lack of personal jurisdiction; they are specially appearing to join this motion as a result of the Court's deadline to file dispositive and *Daubert* motions, and, thus, they do not waive and expressly preserve their pending personal jurisdiction challenges.

On June 10, 2019, Insys Therapeutics, Inc. and its affiliates each filed a voluntary case under chapter 11 of United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware, which cases are being

- Manufacturer Defendants' Motion for Summary Judgment on Plaintiffs' Public Nuisance Claims;
- Memorandum in Support of Manufacturer Defendants' Motion for Summary Judgment on Plaintiffs' Public Nuisance Claims;
- Declaration of Timothy W. Knapp in Support of Manufacturer Defendants' Motion for Summary Judgment on Plaintiffs' Public Nuisance Claims, along with the corresponding Exhibits 1 to 3;
- [Proposed] Order Granting Manufacturer Defendants' Motion for Summary Judgment on Plaintiffs' Public Nuisance Claims;
- Summary Sheet for Manufacturer Defendants' Motion for Summary Judgment on Plaintiffs' Public Nuisance Claims (also attached hereto as Exhibit A).

jointly administered under Case No. 19-11292 (KG). In light of this bankruptcy proceeding, Insys does not join any of the *Daubert* motions or summary judgment motions to be filed in the MDL Track One cases.

Dated: June 28, 2019

Respectfully submitted,

/s/ Mark S. Cheffo

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Companies, Inc.*

*Co-Liaison Counsel for the Manufacturer
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of June 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

/s/ Donna M. Welch
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